IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FIFTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 6373 of 2005

Between:

S. Venkataramana, S/o S. Nagaiah, F.P. Shop dealer, Shop No. 21,
Circle No. II, Dabirpura, Komativadi, Hyderabad.

..... PETITIONER

AND

The District Supply Officer (City), Hyderabad, near Anand Talkies, Secunderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ or direction preferably writ of mandamus declaring the order issued by the respondent in Proceedings B1/1216/2005 (proc, No. 149/2005) dt. 18-3-2005 as illegal, arbitrary, and violative of principles of natural justice and consequently direct the respondent to continue the petitioner as Fair Price Shop dealer of shop No. 211 as usual, and pass such other or further orders as this Hon'ble Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.KOWTURU VINAYA KUMAR

Counsel for the Respondent: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following :

***ORAL ORDER*:**

Heard both sides. Perused the material placed before me.

Petitioner seeks a declaration that the action of the respondent in suspending his authorisation, as a fair price shop dealer, without assigning any reasons is illegal and arbitrary.

From a bare perusal of the impugned proceedings dated 18.3.2005, it is clear that the respondent passed the impugned order, suspending the authorisation of the petitioner as fair price shop dealer, without assigning reasons. It is simply stated, rather vaguely, that it had come to the notice of the respondent that the petitioner committed certain irregularities and contravened the provisions of the Andhra Pradesh State Public Distribution System Control Order, 2001. There is absolutely no clarity as regards the contravention or the irregularities allegedly committed by the petitioner. In the absence of any such clarity or reasons, it is difficult to sustain the impugned proceedings.

For the aforementioned, the writ petition is allowed and the impugned order is set aside, of course, with liberty being granted to the respondent to assign reasons by passing orders afresh and to take action in accordance with law. No costs.

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kvsn 25-03-2005

To

1. The District Supply Officer (City), Hyderabad, near Anand Talkies, Secunderabad.

2. Two CCs to GP for Civil Supplies, High Court buildings, Hyderabad.

3. Two CD copies.